

 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 10.1	Effective Date 10/22/15	Page 1 of 6
	Supersedes Inmate Assignment and Pay Plan, dated 6/30/2009		
Approved By:  Commissioner Scott Semple	Title Inmate Assignment and Pay Plan		

1. Policy. The Department of Correction shall provide inmates with work, programmatic or educational opportunities.
2. Authority and Reference.
 - A. Code of Federal Regulations, 29 CFR Part 1630, Americans with Disabilities Act of 1990.
 - B. Connecticut General Statutes, Sections 10-17f, 10-69, 18-81, 18-85, 18-85a, 18-88 and 18-90a.
 - C. Administrative Directives 4.2, Sentence Computation and Timekeeping; 4.6, Use of Computers and Related Technologies; 6.6, Reporting of Incidents; 9.2, Offender Classification; 9.5, Code of Penal Discipline; 9.8, Furloughs; 10.7, Inmate Communications; and 10.19, Americans with Disabilities Act.
 - D. American Correctional Association, Standards for Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-5A-01.
 - E. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standards 4-4182, 4-4212, 4-4215, 4-4337, 4-4448 through 4-4452 and 4-4461.
 - F. American Correctional Association, Performance-Based Standards for Adult Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-2A-09, 4-ALDF-4B-03, 4-ALDF-5C-06 through 4-ALDF-5C-12.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - A. Annual Pay Plan. An annual operational plan for each non-industrial assignment.
 - B. Inmate Assignment. A specific inmate work, programmatic or educational assignment.
 - C. School Year. Each school year shall begin on July 1st and conclude on June 30th of the following year.
 - D. Seven-Day Work Credit. A time credit of one (1) day for each seven consecutive days a sentenced inmate works at an assignment designated as a seven-day work assignment. Only inmates who were sentenced for an offense committed prior to October 1, 1994 are eligible for Seven-Day Work Credit.
4. Organization and Development of all Inmate Work.
 - A. Assignment Requirement. No inmate shall have entitlement or a legitimate expectation to any work, programmatic or educational assignment or compensation therefor, except as provided for under federal and/or state law regarding: a) an inmate under the age of 21 who is in need of special education services according to the Individuals with Disabilities Education Act, b) any inmate under twenty one who has not earned a high school diploma or equivalent, and c) persons through the school year of their 21st birthday who are dominant in a foreign language.

Directive Number 10.1	Effective Date 10/22/15	Page 2 of 6
Title Inmate Assignment and Pay Plan		

With the exception of inmates assigned to the Private Sector Prison Industry Enhancement Certification Program (PSPIEC), which shall be voluntary, a sentenced inmate shall not be allowed to refuse or reject any inmate assignment. Such refusal may subject the inmate to disciplinary action as specified in Administrative Directive 9.5, Code of Penal Discipline. A sentenced inmate who is disciplined for refusing a programmatic, work or educational assignment may be:

1. denied privileges in accordance with Administrative Directive 9.5, Code of Penal Discipline;
2. precluded from a classification reduction; and,
3. precluded from consideration for participation in a community release program in accordance with Administrative Directives 9.2, Offender Classification and 9.8, Furloughs.

No unsentenced inmate shall be required to take a work assignment except to perform housekeeping activities or as a disciplinary sanction in accordance with Administrative Directive 9.5, Code of Penal Discipline. An unsentenced inmate may elect to take a work assignment and in such cases shall be compensated in accordance with this Directive.

- B. Annual Pay Plan. Prior to June 1 annually, each Unit Administrator shall develop an Annual Pay Plan for all non-industries work, education and Tier IV program assignments within the facility. This plan shall be submitted to the Deputy Commissioner of Operations and Rehabilitative Services in consultation with the Deputy Commissioner of Administration for approval. Each pay plan shall conform to the skill/pay levels and rates established in Attachment A, Inmate Pay Plan Matrix and identify the projected assignments required by:

1. assignment area;
2. assignment description in accordance to Attachment A, Inmate Pay Plan Matrix;
3. location;
4. Syscon work code;
5. Syscon work type;
6. number of slots for each assignment;
7. custody level for each slot within the assignment;
8. pay level; and,
9. designation as a five- or seven-day work assignment.

- C. Selection of Inmate Participants. Consistent with the approved Annual Pay Plan, a principal/educational administrator, supervisor or manager shall inform the appropriate facility classification staff of current or anticipated inmate assignment requirements and vacancies. Any inmate assignment shall require prior approval by the facility's classification committee. Inmates shall be required to submit a written request for a school or work assignment to the appropriate area as governed at each facility. Facility classification staff shall provide an opportunity for input from the principal/educational administrator, supervisor or manager accordingly, prior to assignment. An inmate may be required to complete a health screening before placement in an inmate assignment. Inmates who qualify may then be interviewed by the respective supervisor or manager. Once approved, the request shall be sent to the classification committee for assignment.

Directive Number 10.1	Effective Date 10/22/15	Page 3 of 6
Title Inmate Assignment and Pay Plan		

All assignments shall be made through the classification process. Selection shall take into account the following:

1. a provision for reasonable accommodations for assignment of handicapped inmates in accordance with Administrative Directive 10.19, Americans with Disabilities Act;
2. not discriminate against an inmate for reasons of age, race, religion, national origin, gender, or sexual orientation;
3. racial/ethnic diversity in the assignment of inmates to work/program assignments and pay; and,
4. safety and security concerns.

All inmate housing locations and classification assignments shall be logged on the RT-90U, Inmate Housing and Classification Assignment screen.

- D. Selection Priority. The following inmates shall be given priority for facility or district inmate assignments:

1. inmates who possess a high school diploma or GED; or,
2. inmates who are on a waiting list for school.

Inmates may be exempt from the criteria listed above for significant reasons upon approval of the Unit Administrator or designee. Significant reasons shall include special education, age, sentence, medical/mental health, or other reasons as determined by the Unit Administrator or designee.

- E. Training. Once hired/selected, an inmate may be required to complete a training program developed by the Unit Administrator or designee. Upon completion, the inmate shall sign to acknowledge receiving such training. The inmate shall continue to receive training as necessary once in the assignment and shall be supervised in a manner to promote successful performance.

5. General Assignment and Pay.

- A. Inmate Status as a Non-Employee. Under no circumstances shall an inmate with an inmate assignment be considered an employee of the Department of Correction and/or the State of Connecticut.

- B. Work Rules and Conditions. Each inmate shall report to the place of the inmate assignment at the required start time and shall not leave an inmate assignment without permission. Each inmate, regardless of inmate assignment, shall complete all assigned tasks diligently and conscientiously. Refusal to work, avoidance of assigned tasks, failure to complete assigned tasks or meet performance standards, or encouraging others to refuse to participate may result in a poor work evaluation, disciplinary action and/or dismissal from the inmate assignment. No inmate shall be assigned to any position which allows:

1. access to any institutional or personal data regarding staff;
2. access to data regarding inmate housing, assignment, schedules, time and/or attendance records, pay, evaluations, addresses, telephone numbers, property, financial resources, visitors, social security numbers or any other personal information regarding another inmate;

Directive Number 10.1	Effective Date 10/22/15	Page 4 of 6
Title Inmate Assignment and Pay Plan		

3. access to sensitive facility management information; and,
4. supervision, control or authority of any kind over another inmate.

- C. Inmate Use of Telephones. No inmate shall be allowed to use a telephone for personal or state use except as provided in Administrative Directive 10.7, Inmate Communications. Inmates shall not be left unsupervised in an area with an operable non-collect-call-only telephone. Any telephone in an area accessible to inmates shall be locked with a telephone lock or properly secured when staff are not present.
- D. Inmate Use of Computers. Inmate use of computers shall be in accordance with Administrative Directive 4.6, Use of Computers and Related Technologies. Inmates shall not be allowed to use a computer for any purpose except as specifically required by an educational, work or industries assignment. Inmates shall not use any computer that is connected to a network of any kind, with the exception of the following:
1. education and industry computers that are linked by a closed network hub that shall not provide Internet access;
 2. programmatic computers that are linked to a network for use by inmates through the authorized facility job centers allowing access to the Department of Labor's website only; and,
 3. programmatic computers that are linked to a network for use by inmates on community supervision in order to perform programmatic functions.

Such permission shall be in writing and shall cite the limits of authorization as a condition of supervision.

All inmate access to computers shall be closely monitored and limited to departmental assignments and duties.

- E. Safety and Health Procedures. Each correctional employee and inmate shall observe all applicable federal and state safety and health regulations. The Unit Administrator shall ensure that appropriate safety and protective equipment is provided for each assignment and that each inmate is trained in the safe and proper use and operation of any equipment. This shall also apply to the use and handling of any tool, chemical, hazardous material, or waste related to the assignment.

Each inmate shall immediately report any injury to a supervisor. Medical attention shall be provided as necessary and shall be reported in accordance with Administrative Directive 6.6, Reporting of Incidents.

- F. Assignment Day. A standard assignment shall normally be a full day. The standard inmate assignment hours may be extended, without additional pay, by authorization of the Unit Administrator.
- G. No Participation, No Pay. An inmate shall only be paid a single day's pay for actual participation in an assignment to which he/she is classified, as indicated in Section 5(F) of this Directive, during a 24-hour period. The "No Participation, No Pay" standard shall normally apply to each inmate affected regardless of reason (e.g., facility lockdown, court appearance, off-ground trips, etc.).

Directive Number 10.1	Effective Date 10/22/15	Page 5 of 6
Title Inmate Assignment and Pay Plan		

- H. Five- and Seven-Day a Week Work Assignments. Each inmate assignment shall be designated as a five- or seven-day a week work assignment in accordance with the Annual Pay Plan. This standard shall not apply to inmate assignments that receive pay per incident (e.g., blood spill cleaner, etc.).

For those inmates who are eligible for Seven-Day Work Credit, they must actually work seven consecutive days in order to obtain such credit in accordance with Section 3(D) of this Directive and Administrative Directive 4.2, Sentence Computation and Timekeeping.

- I. Inmate Performance Evaluation. An inmate shall receive a written performance evaluation, utilizing CN 100101, Inmate Performance Evaluation Form after 30 days in a new or promotional assignment and at least semi-annually thereafter and at such other times as deemed appropriate. A copy of this evaluation shall be placed in the inmate's institutional file. An overall poor evaluation shall result in a counseling session with the inmate and may result in a referral to the classification committee for possible dismissal or reassignment. The inmate shall receive a copy of each written evaluation.
- J. Removal or Dismissal. Dismissal for failure to perform, or for a chargeable infraction, may be accompanied by a disciplinary charge in accordance with Administrative Directive 9.5, Code of Penal Discipline. A finding of guilty shall not be required for removal or dismissal to occur. Removal for other purposes shall not require disciplinary action. A charge shall not be required when it is determined the inmate is incapable of performing to acceptable standards except that an inmate performance evaluation shall be completed and the inmate shall be considered for an alternate assignment.
- K. Pay Period. Based on a facility's Annual Pay Plan an inmate shall be paid on a bi-weekly basis in accordance with Section 6 of this Directive.

6. Assignment Pay Schedule.

- A. Assignment Skill/Pay Level and Rates. Each inmate assignment shall be paid based upon a three (3) level system, unskilled to skilled according to the approved pay plan as follows:
1. Assignments in Pay Level 1 shall normally involve routine, repetitive tasks with only minor variance in routine and involve skills, which are readily learned.
 2. Assignments in Pay Level 2 shall involve skills and abilities based upon training, experience and knowledge of established inmate assignments.
 3. Assignments in Pay Level 3 shall involve skills and abilities based upon training and experience usually derived from specialized and technical training, which would normally require certification or licensure, or for assignments normally reimbursed from outside sources.
- B. Annual Pay Plan Budget Allotment and Rates. The Unit Administrator shall compensate inmates, from the facility's approved Annual Pay Plan budget allotment, in accordance with the Inmate Pay Plan Matrix and the facility pay level and rates below:

Directive Number 10.1	Effective Date 10/22/15	Page 6 of 6
Title Inmate Assignment and Pay Plan		

Pay Level 1	\$ 0.75 per day
Pay Level 2	\$ 1.25 per day
Pay Level 3	\$ 1.75 per day

The projected yearly expenditures for inmate pay shall not exceed the facility's budget allotment. The Unit Administrator shall establish procedures to ensure compliance with the following standards:

1. accurate recording of daily attendance and hours worked for each inmate;
 2. payment limited to actual time worked or attendance at an educational and/or program activity;
 3. a standard assignment shall normally be a full day;
 4. no double pay;
 5. no bonus pay, with the exception of a spill response stipend that shall only be available to inmates classified as blood spill cleaners;
 6. no participation, no pay in accordance with Section 5(F) of this Directive; and,
 7. no classification to inmate assignment, no pay.
- C. Commissary Pay Rates. Inmates assigned to the Commissary shall be paid in accordance with Attachment A, Inmate Pay Plan Matrix.
7. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
- A. CN 100101, Inmate Performance Evaluation Form; and,
 - B. Attachment A, Inmate Pay Plan Matrix.
8. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.